



05 SEP 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Christopher J. Fildes
Fildes & Outland
20916 Mack Avenue, Suite 2
Gross Pointe Woods, MI 48236

In re Application of	:	
ESKELINEN, Ilkka et al.	:	DECISION ON
Application No.: 10/070,409	:	
PCT Application No.: PCT/FI00/00768	:	PETITION
International Filing Date: 12 September 2000	:	
Priority Date: 14 September 1999	:	UNDER 37 CFR 1.137(b)
Attorney Docket No.: 11001.090	:	
For: DOCTOR UNIT IN PAPER MACHINE	:	

Applicants' "Petition For Revival of an Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)," filed in the United States Patent and Trademark Office on 24 April 2002 is GRANTED.

BACKGROUND

On 12 September 2000, applicants filed an international application, PCT/FI00/00768, which claimed a priority date of 14 September 1999. A demand for international preliminary examination was filed on 23 March 2001. A copy of the international application was communicated to the United States Patent and Trademark Office on 22 March 2001. The thirty month period for entering the national stage in the United States expired at midnight on 14 March 2002.

On 06 March 2002, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, a check in the amount of \$890.

On 19 April 2002, the Office mailed Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to pay the basic national fee by thirty months.

DISCUSSION

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

Applicants' explanation of the abandonment is construed to mean that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). If this is not a correct interpretation, applicants must notify the Office immediately. The basic national fee and petition fee have been

submitted. A terminal disclaimer is not required as application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

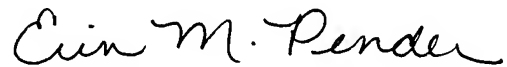
CONCLUSION

The petition to revive the application abandoned under 37 CFR 1.137(b) is **GRANTED** as to the National Stage in the United States of America.

The application has an international filing date of 12 September 2000 under 35 U.S.C. §363 and a date of 06 March 2002 under 35 U.S.C. §371. This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing.



Richard Cole
PCT Legal Examiner
PCT Legal Administration



Erin M. Pender
Attorney Advisor
PCT Legal Administration

Telephone: 703-305-0455
Facsimile: 703-308-6459